

## **EXHIBIT A TO NOTICE OF REMOVAL**



15<sup>TH</sup> JUDICIAL DISTRICT COURT FOR THE PARISH OF LAFAYETTE

STATE OF LOUISIANA

NO.: \_\_\_\_\_

DIVISION \_\_\_\_\_

JONAH J. CORMIER

2011-1813A

versus

JPMORGAN CHASE & CO., AND CHASE HOME FINANCE, LLC

**PETITION FOR DAMAGES AND FOR PRELIMINARY OR PERMANENT  
INJUNCTIVE RELIEF TO ARREST SEIZURE AND SALE**

NOW INTO COURT, through undersigned counsel, comes JONAH J. CORMIER, who respectfully petitions this Honorable Court, as follows:

**PARTIES**

1.

JONAH J. CORMIER, ("Plaintiff" or "CORMIER"), is of the full age of majority domiciled in Lafayette Parish, State of Louisiana, residing at 510 Summerfest Drive, Lafayette, Louisiana 70507.

2.

JPMORGAN CHASE & CO., a foreign business corporation organized under the laws of the state of Delaware, and its subsidiary, CHASE HOME FINANCE, LLC, each continuously and systematically conducting business in the State of Louisiana, and are named as defendants herein, ("Defendants" or "CHASE").

**BACKGROUND**

3.

On or about October 28, 2008, CHASE voluntarily elected to participate in the United States Department of the Treasury's Troubled Assets Relief Program (TARP) Capital Purchase Program (CCP), whereby CHASE received \$25,000,000,000.00 from the Treasury Department in exchange for certain shares of preferred stock.

4.

As a condition precedent to Defendants' participation in TARP CCP, CHASE executed a Securities Purchase Agreement dated October 26, 2008, with the United States Department of the Treasury, wherein CHASE agreed, "to work diligently, under existing programs, to modify the terms of residential mortgages as appropriate to strengthen the health of the U.S. housing market."

5.

In May, 2009, the "Helping Families Save Their Homes Act of 2009,"<sup>1</sup> was signed into law, generating numerous incentive-laden programs to induce financial institutions to successfully assist homeowners in modifying their mortgages. The Home Affordable Modification Program (HAMP), administered by the Department of Treasury, is one such

<sup>1</sup> H.R. 1106 or S. 896.

program designed to assist homeowners in avoiding foreclosure by providing these institutions clear and consistent loan modification guidelines to help borrowers obtain more affordable payments.

6.

Defendants' implementation of the various loan modification programs and the contractual process resulting therefrom has proved to be an epic failure, rife with negligent misrepresentation, fraudulent inducement, gross mismanagement, bad faith dealing, unfair trade practices, and the implementation of systematic unlawful foreclosure proceedings for its financial benefit. It is generally financially advantageous for defendants to foreclose rather than offer permanent loan modifications.

7.

Data compiled by the United States Department of Treasury indicates that less six percent (6%) of eligible homeowners have been provided permanent loan modifications under HAMP since 2009, evidencing the dysfunction of the entire participating loan servicing industry.

**FACTUAL ALLEGATIONS**

8.

On June 15, 2007, **CORMIER** purchased the property located at 510 Summerfest Drive, Lafayette, Louisiana to be occupied as his family's principal residence. Mr. and Mrs. Cormier, along with their daughter, have continuously lived at this residence since the date of purchase.

9.

To obtain financing for the transaction, **CORMIER** signed a promissory note dated June 15, 2007, evidencing a loan received from Meritas Mortgage, LLC in the amount of \$164,000.00. **CORMIER** neither received nor is aware that authentic evidence of this note was filed in this executory proceeding.

10.

To secure the transaction, **CORMIER** granted a mortgage on the property in favor of Meritas Mortgage, LLC, its successors and/or assigns, in the amount of \$164,000.00. Meritas, thereafter assigned the mortgage note and mortgage to AmTrust Bank and AmTrust Financial Services, Inc., a lender based in New York, New York, although **CORMIER** neither received nor is aware that authentic evidence of this assignment was filed in the public records of Lafayette Parish, Louisiana or in the executory proceeding.

11.

In August 2007, **CORMIER** commenced sending AmTrust Bank monthly principal and interest payments in the amount of \$1,300.00. For approximately two (2) years **CORMIER** consistently and timely provided AmTrust the required monthly payment due, totaling over \$31,000.00.

12.

In 2009, AmTrust Bank assigned **CORMIER'S** loan and mortgage to **CHASE HOME FINANCE, LLC**, although **CORMIER** neither received nor is aware that authentic evidence of this assignment was filed in the public records of Lafayette Parish, Louisiana or in the executory proceeding.

13.

In November 2009, **CORMIER** elected to participate in **CHASE'S** FastPay program, wherein **CHASE** began to deduct **CORMIER'S** monthly mortgage payment directly from his IberiaBank checking account. **CHASE** notified **CORMIER** that it received the November, 2009 payment, but failed to reflect said payment on **CORMIER'S** December, 2009 mortgage statement. **CHASE** continued to deduct **CORMIER'S** monthly mortgage payment from his personal checking account, but repeatedly failed to apply said payments to his principal balance and indicated a delinquency.

14.

Also in November, 2009, **CHASE** offered to enroll **CORMIER** in its Home Affordable Modification Trial Period Plan to determine his potential eligibility to qualify for the federal government's Home Affordable Modification Program (HAMP).

15.

On or about December 8, 2009, **CORMIER** accepted **CHASE'S** offer to participate in the Home Affordable Modification Trial Period Plan, and forwarded **CHASE** all requested documentation. **CHASE** provided documentation indicating **CORMIER'S** trial period monthly payment as \$1,103.63. Nevertheless, **CHASE** continued to send **CORMIER** notices of delinquency based on their original monthly mortgage payment, and failed to credit **CORMIER'S** account balance with the actual payments being made.

16.

**CORMIER** attempted to address these issues directly with **CHASE**, which entailed countless frustrating hours on the telephone, week after week, enduring an endless series of roadblocks, dead-ends, unreturned calls, hand-offs to other departments, and numerous other bad faith stalling tactics specifically designed to overwhelm, exhaust, frustrate and deter any resolution of his loan and loan modification issues and problems.

17.

On the rare occasions **CORMIER** reached a **CHASE** loan modification representative by phone, **CHASE** advised him to disregard the inaccurate letters of delinquency and advised that in order to qualify for a permanent loan modification, his account was required to reflect a delinquent status. **CHASE** instructed **CORMIER** to continue paying the trial period payment amount until a final determination had been made, placing **CORMIER** further into delinquency each month during the trial period.

18.

Between January, 2010 and June, 2010, **CHASE** repeatedly informed **CORMIER** that he was required to submit certain documentation to complete his loan modification plan. Upon each request, **CORMIER** submitted and re-submitted the entire packet of required documentation. Upon each submission, **CORMIER** attempted to verify that **CHASE** received the documentation he submitted. **CHASE** ultimately denied **CORMIER'S** permanent loan modification due to **CORMIER'S** alleged failure to submit the required documentation.

19.

Shortly following its denial of **CORMIER'S** loan modification, **CHASE** instituted foreclosure proceedings through executory process against **CORMIER'S** residence, inaccurately alleging the amount due and owing under the terms of the loan and the trial modification period.

20.

**CHASE'S** private mortgage insurance coverage for this loan, along with the federal government's "bail out" protections, allows **CHASE** to financially benefit from the seizure and sale of **CORMIER'S** property, which is scheduled to occur on May 25, 2011.

**ACTION FOR DAMAGES**

21.

**CORMIER** re-pleads and re-alleges the allegations in the prior paragraphs as if set forth in full.

22.

**CORMIER** alleges **CHASE** breached the legal duty owed to him to administer its loan modification program in good faith and to provide accurate information concerning his application status, and breached the loan modification contract accepted by **CORMIER**.

23.

**CORMIER** alleges **CHASE** breached the implied loan modification contract between the parties, and negotiated said contract in bad faith.

24.

**CORMIER** alleges **CHASE** intentionally and/or negligently misrepresented information about the assignment of his mortgage loan and its loan modification program, and intentionally and/or with gross negligence mismanaged the loan modification contract to ensure excessive fees and delinquencies were assessed, resulting in the ultimate foreclosure of **CORMIER'S** property, to the exclusive benefit of **CHASE**.

25.

**CORMIER** alleges **CHASE** violated the covenants in the Act of Mortgage, which provided **CORMIER** the unconditional right to reinstate his loan.

26.

**CORMIER** alleges **CHASE'S** deceptive and bad faith conduct amounts to the tortious interference of **CORMIER'S** mortgage loan contract and loan modification contract, and further avails himself to claims against **CHASE** arising under any theory of law not specifically alleged but may be shown at the time of the trial of this matter.

27.

**CORMIER** alleges **CHASE** improperly seized his property by improperly initiating its proceeding through executory process.

28.

**CORMIER** alleges **CHASE'S** deceptive and unfair business dealings with respect to its loan modification program violated Louisiana Revised Statute 15:1401 *et seq.*, the Louisiana Unfair Trade Practices Act, entitling **CORMIER** to damages, attorney fees, and costs.

**CAUSE FOR PRELIMINARY OR PERMANENT INJUNCTION TO  
ARREST SEIZURE AND SALE**

29.

**CORMIER** requests that after due proceedings are had, this Honorable Court issue a preliminary or permanent injunction arresting the seizure and sale of Plaintiff's property on the basis that:

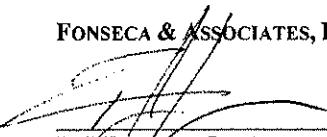
1. **CHASE**, in its petition and its attachments for executory process, failed to properly satisfy the legal requisites for said proceeding;
2. A favorable resolution of the claims alleged by **CORMIER**, following a determination of the facts and governing law, would render **CHASE'S** foreclosure proceeding moot. **CORMIER** is due to suffer irreparable harm if these issues are not resolved prior to the scheduled sheriff's sale. In *Indymac Fed. Bank. FSB v. Groshon*, 45 So.3d 170 (La. 2010), the court upheld the trial court's injunction, finding unanswered factual questions about whether the parties entered a forbearance agreement.
3. **CORMIER** specifically alleges fraud, breach of contract, negligent misrepresentation, breach of Defendants' duty to act and negotiate in good faith, and tortious interference with contract as affirmative defenses to the legal enforceability of Plaintiff's mortgage.

**WHEREFORE, JONAH J. CORMIER** prays that Defendants be cited and served and that after due proceeding that judgment be rendered herein in favor of **JONAH J. CORMIER** and against **JPMORGAN CHASE & CO** and **CHASE HOME FINANCE, LLC** with all costs imposed on Defendants, including damages and attorney's fees to the extent recoverable under the law and the evidence.

**CORMIER** further prays for all relief proper in the premises and for full, general and equitable relief.

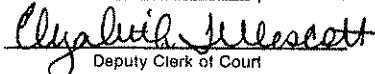
Respectfully submitted by:

**FONSECA & ASSOCIATES, LLC**

  
R. J. FONSECA, JR., ATTORNEY AT LAW  
Bar Roll No. 26883  
217 Rue Louis XIV, Suite 100  
Lafayette, LA 70508  
(337) 456-1163 office  
(337) 232-8740 facsimile

**PLEASE SERVE:**

1. Chase Home Finance, LLC through its Registered Agent:  
**C T Corporation System  
5615 Corporate Blvd., Ste. 400B  
Baton Rouge, Louisiana 70808;**
2. JPMorgan Chase & Co:  
**Through the Secretary of State;  
and,**
3. Chase Home Finance, LLC through its attorney of record:  
**Fred J. Daigle, Attorney at Law  
Graham, Arceneaux, & Allen, LLC  
601 Poydras, Suite 2210  
New Orleans, Louisiana 70130**

FILED THIS 28  
DAY OF March, 2011  
  
Deputy Clerk of Court

## **EXHIBIT B TO NOTICE OF REMOVAL**

20591582  
46/C/CNN72  
cc etwescott

Ordered by Atty.: R.J. FONSECA, JR.

## CITATION

JONAH J CORMIER

**Fifteenth Judicial District Court**

VS

Docket Number: C-20111813 A

**CHASE HOME FINANCE LLC, ET AL**

**Parish of Lafayette, Louisiana**

---

**STATE OF LOUISIANA**

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TO: JPMORGAN CHASE & CO:  
THROUGH THE SECRETARY OF STATE

of the Parish of E. BATON ROUGE

You are hereby cited to comply with the demand contained in the petition, a certified copy of which accompanies this citation, (exclusive of exhibits). Alternatively, you should file an answer or other pleading to said petition in the office of the Clerk of the Fifteenth Judicial District Court, in the Lafayette Parish Courthouse, Lafayette, Louisiana, within fifteen (15) days after the service hereof. Your failure to comply herewith will subject you to the penalty of entry of default judgment against you.

Witness the Honorable Judges of said Court, this March 30, 2011.

Elyse M. Mescott  
Deputy Clerk of Court  
Lafayette Parish

**Deputy Clerk of Court  
Lafayette Parish**

\*Attached are the following documents:

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**CC: PETITION FOR DAMAGES AND FOR PRELIMINARY OR PERMANENT INJUNCTIVE  
RELIEF TO ARREST SEIZURE AND SALE, VERIFICATION, REQUEST FOR NOTICE OF TRIAL,  
HEARINGS AND ORDERS, AND ORDER FOR RULE TO SHOW CAUSE**

SHERIFF'S RETURN

Lafayette Parish Sheriff

Date Served: \_\_\_\_\_, 20\_\_\_\_ Time: \_\_\_\_\_ APR -

Served: \_\_\_\_\_

Personal ( ) \_\_\_\_\_

Domiciliary ( ) on \_\_\_\_\_

Unable to Locate      Moved ( ) \_\_\_\_\_

Other Reason: \_\_\_\_\_

Received Too Late For Service ( ) \_\_\_\_\_

Service Of Within Papers

Costs Fee \$ \_\_\_\_\_ Mileage \$ \_\_\_\_\_ Total \$ \_\_\_\_\_

Deputy \_\_\_\_\_

*I made service on the named party through the  
Office of the Secretary of State  
by tendering a copy of this document to  
TAMMY GLOVER.  MEGHAN SHANKS*

*E. J. Wm. M. D.*

*Deputy Sheriff, Parish of East Baton Rouge, Louisiana*

APR 11 2011

Jaylyn Dugas  
Pvt. Clerk of Court



20591061

DZ000000000  
cc\_etwescott

Ordered by Atty.: R.J. FONSECA, JR.

**CITATION****JONAH J CORMIER****Fifteenth Judicial District Court****VS****Docket Number: C-20111813 A****CHASE HOME FINANCE LLC, ET AL****Parish of Lafayette, Louisiana****STATE OF LOUISIANA**

**TO: CHASE HOME FINANCE, LLC  
THROUGH ITS REGISTERED AGENT:  
CT CORPORATION SYSTEM  
5615 CORPORATE BLVD.  
STE. 400B  
BATON ROUGE, LA 70808**

of the Parish of E. BATON ROUGE

You are hereby cited to comply with the demand contained in the petition, a certified copy of which accompanies this citation, (exclusive of exhibits). Alternatively, you should file an answer or other pleading to said petition in the office of the Clerk of the Fifteenth Judicial District Court, in the Lafayette Parish Courthouse, Lafayette, Louisiana, within fifteen (15) days after the service hereof. Your failure to comply herewith will subject you to the penalty of entry of default judgment against you.

Witness the Honorable Judges of said Court, this March 30, 2011.

  
 Deputy Clerk of Court  
 Lafayette Parish

\*Attached are the following documents:

**CC: PETITION FOR DAMAGES AND FOR PRELIMINARY OR PERMANENT INJUNCTIVE RELIEF TO ARREST SEIZURE AND SALE, VERIFICATION, REQUEST FOR NOTICE OF TRIAL, HEARINGS AND ORDERS, AND ORDER FOR RULE TO SHOW CAUSE**

**SHERIFF'S RETURN**

Lafayette Parish Sheriff

Date Served: \_\_\_\_\_, 20\_\_\_\_ Time: \_\_\_\_\_  
 Served: \_\_\_\_\_  
 Personal ( ) \_\_\_\_\_  
 Domiciliary ( ) on \_\_\_\_\_  
 Unable to Locate Moved ( ) No Such Address ( )  
 Other Reason: \_\_\_\_\_  
 Received Too Late For Service ( )  
 Service Of Within Papers  
 Costs Fee \$ \_\_\_\_\_ Mileage \$ \_\_\_\_\_ Total \$ \_\_\_\_\_  
 Deputy \_\_\_\_\_

*APR 06 2011*  
*...due service on the named party through the*  
*CT Corporation*  
*✓ tendering a copy of this document to*  
 **RODERICK THOMAS**    **LYNETTE BASS**    **JULIE CHISM**  
*E. Cummings*  
*Deputy Sheriff, Parish of East Baton Rouge, Louisiana*

Lafayette Parish Clerk of Court  
 Filed This Day

APR 11 2011

*Jaclyn Dugas*  
 Clerk of Court

## **EXHIBIT C TO NOTICE OF REMOVAL**

**AFFIDAVIT**

STATE OF OHIO

COUNTY OF FRANKLIN

BEFORE ME, the undersigned Notary Public, duly commissioned in the State and County aforesaid, personally came and appeared:

THOMAS E. REARDON, who is a person of the full age of majority who after being sworn did depose:

1. That this Affidavit is based on my personal knowledge and my examination of the records of Chase Home Finance LLC and JPMorgan Chase Bank, N.A., successor by merger to Chase Home Finance LLC.
2. That I am employed by JPMorgan Chase Bank, N.A., successor by merger to Chase Home Finance LLC.
3. That I am currently employed as an Assistant Vice-President with JPMorgan Chase Bank, N.A., successor by merger to Chase Home Finance LLC.
4. As an Assistant Vice-President, I am familiar with membership of Chase Home Finance LLC and the principal place of business and main office of JPMorgan Chase Bank, N.A.
5. From January 1, 2005 to May 1, 2011, Chase Home Finance LLC was a limited liability company organized and existing pursuant to the laws of the state of Delaware, having its principal place of business located in the state of New Jersey.
6. There was only one member/parent of Chase Home Finance LLC, and that member/parent was Chase Home Finance, Inc.
7. Chase Home Finance Inc. is a corporation organized and existing pursuant to the laws of the state of Delaware, having its principal place of business in the state of New Jersey.

8. Chase Home Finance LLC was an operating subsidiary of JPMorgan Chase Bank, N.A. and was supervised and regulated as such by the Office of the Comptroller of the Currency.
9. JPMorgan Chase Bank, N.A. is the successor by merger to Chase Home Finance LLC by virtue of a merger effective May 1, 2011, and is supervised and regulated by the Office of the Comptroller of the Currency.
10. From January 1, 2005 to present, JPMorgan Chase Bank, National Association was and is a national banking association organized pursuant to the laws of the United States with its main office in Columbus, Ohio and its principal place of business in New York, New York.
11. The substance of this Affidavit is true and correct, and based on my personal knowledge after review of all pertinent documentation and/or records in the possession of Chase Home Finance LLC and JPMorgan Chase Bank, N.A., successor by merger to Chase Home Finance LLC.



Thomas E. Reardon

SWORN TO AND SUBSCRIBED before me on this 4<sup>th</sup> day of May, 2011.



Cassie Freeman  
Notary Public

Printed Name: \_\_\_\_\_

Bar Roll / Notary No.: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_



CASSIE FREEMAN  
Notary Public, State of Ohio  
My Comm. Expires 02/21/2015

## **EXHIBIT D TO NOTICE OF REMOVAL**



## 15TH JUDICIAL DISTRICT COURT FOR THE PARISH OF LAFAYETTE

STATE OF LOUISIANA

NO:

DIVISION "

CHASE HOME FINANCE, LLC

VERSUS

**DIV. "F"**

JONAH JOSEPH CORMIER

FILED:

DEPUTY CLERK

PETITION FOR EXECUTORY PROCESS

TO THE HONORABLE, THE JUDGES OF THE 15TH JUDICIAL DISTRICT COURT  
FOR THE PARISH OF LAFAYETTE, STATE OF LOUISIANA

The petition of Chase Home Finance, LLC, 3415 Vision Drive,  
Columbus, OH 43219-3792, with respect represents:

I.

Petitioner is the holder, for valuable consideration before  
maturity, of a promissory note executed by Jonah Joseph Cormier,  
who is a resident of and domiciled in the Parish of Lafayette,  
State of Louisiana, payable to the order of Meritas Mortgage, LLC,  
in the principal sum of \$164,000.00, dated June 15, 2007, payable  
at 2014 E.W. Pinhook Road, Suite 605, Lafayette, LA 70508, or at  
such other place as the holder may designate in writing, in fixed  
monthly installments of principal and interest of \$1,063.71,  
commencing on the first day of August, 2007, and payable in full on  
or before the first day of July, 2037. The said note bears  
interest at the rate of 6.75% percent per annum on the unpaid  
balance from date until paid, and which said note is paroled "Ne  
Variatur" for identification with an Act of Mortgage, dated June  
15, 2007, and passed before Gerald J. Dartez, Notary Public in and  
for the Parish of Lafayette and two witnesses, and duly recorded at  
File No. 2007-00027212, Parish of Lafayette, State of Louisiana,  
all of which will more fully appear from the original of said note,  
which is attached hereto and made a part hereof and which is marked

FAX FILED THIS

DAY OF DOC, 2010  
Dale Bernier  
 Deputy Clerk of Court

Plaintiff's Exhibit "A" and from a certified copy of the said Act, which is also attached hereto and made a part hereof and which is marked Plaintiff's Exhibit "B".

II.

The said mortgagor did, in the said Act, waive all homestead exemptions to which he may be entitled under the Constitution and laws of the State of Louisiana.

III.

In the above mentioned Act, the mortgagor agreed that the property hereinafter described would remain specially mortgaged, affected and hypothecated in favor of Meritas Mortgage, LLC, lender or any future holder or holders of said note, until the full and final payment thereof, in principal, interest attorney's fees, taxes and costs and the mortgagor bound and obligated himself not to sell, alienate or encumber the property to the prejudice of the Act of Mortgage.

IV.

In the above mentioned Act, the said mortgagor confessed judgment on the note and consented that if same were not paid in accordance with the terms, conditions and stipulations of the said Act, said property would be seized and sold under Executory Process.

V.

In the said Act hereinabove referred to, the said mortgagor did specially mortgage, affect and hypothecate unto and in favor of the mortgagee, Meritas Mortgage, LLC and any and all other future holders of the note, the following described property situated in the Parish of Lafayette, State of Louisiana, to-wit:

THAT CERTAIN LOT OF GROUND, together with all buildings and improvements and the component parts thereof, situated in Section 35, T8S, R4E, Lafayette Parish, Louisiana, and being known and designated as Lot 68 of Fairgrounds Place Subdivision, Phase III, said lot having such measurements, boundaries, configurations and dimensions as are more fully shown and described on that certain plat of survey prepared by

EXHIBIT A TO PETITION

Paul L. Miers Engineering, LLC, dated April 5, 2006, revised May 4, 2006, a copy of which is attached to that certain act and filed under Entry No. 2006-18297, records of Lafayette Parish, Louisiana, which plat of survey is made a part thereof by reference thereto.

Which has the address of 510 Summerfest Drive, Lafayette, LA 70507

VI.

By Act of Notarial Endorsement and Assignment of Mortgage Note, the above described mortgage note was transferred and assigned by Meritas Mortgage, LLC to AmTrust Bank. All as is reflected on the endorsement to the note.

VII.

AmTrust Bank endorsed the Note in blank rendering the Note bearer paper as defined by La. R.S. 10:3-109 so that the Note could be negotiated by transfer of possession alone. Said endorsement is a private writing which is deemed authentic for purposes of Executory Process by La. R.S. 13:4102(A), La R.S. 9:4422 and La. C.C.P. art. 2635. Plaintiff is the present holder, owner, and possessor of the Note and does hereby attach the Original Note to this petition.

VIII.

Whereas the mortgagor having failed to make the payments required under the terms of his mortgage, is in default under the terms of said mortgage and Chase Home Finance, LLC, as the last holder of the note after having given due notice to mortgagor herein, has exercised its option to accelerate the mortgage and declare the balance of the note, including principal, interest, insurance and attorney's fees, due and payable, inasmuch as petitioner's records reflect unpaid installments from May 1, 2010, to date.

NOTICE PURSUANT TO THE  
FAIR DEBT COLLECTION PRACTICES ACT

COPY

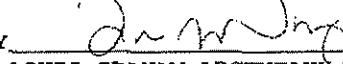
This is an attempt to collect a debt, and any information obtained will be used for that purpose. The amount of the debt you owe is stated in Paragraph VIII. The name of the creditor is Chase Home Finance, LLC. Unless you notify us in writing within thirty (30) days of receipt of this notice that you dispute the validity or accuracy of the debt, we will assume that the debt is valid.

of the debt, we will assume that the debt is valid. If you notify us in writing within thirty (30) days of receipt of this notice, that the debt or any portion thereof is disputed, we will obtain and provide you with verification of the debt in writing. If Chase Home Finance, LLC, is not the original creditor, we will provide you with the name and address of the original creditor, by mail, if you make written request for this information, within thirty (30) days of receipt of this notice.

WHEREFORE, petitioner prays for an order of Executory Process herein, and further, that a writ of seizure and sale issue herein directing the Sheriff for the Parish of Lafayette, State of Louisiana, to seize and sell with appraisement and, after due advertisement, requisites and formalities, free and clear of all homestead rights and exemptions, the property hereinabove described, according to law, for cash, to pay and satisfy the claim of petitioner, the principal sum of \$158,788.78 with 6.75% percent interest thereon from April 1, 2010 until paid, together with accumulated late charges, any additional amounts which petitioner has advanced or hereafter advances, as permitted by the Note and Mortgages for taxes, insurance, assessments, repairs to and maintenance and preservation of the mortgaged property, together with reasonable attorney's fees on the total amount of principal, interest and all current and future advances, together with all costs of these proceedings; that out of the proceeds of the sale, petitioner be paid the amount of its claim in preference and priority over all other persons herein.

Advances on the  
mortgage, for taxes,  
assessments and insur-  
ance premiums, etc.  
Interest and all  
costs of collection  
and attorney's fees

GRAHAM, ARCENEAUX & ALLEN, LLC

BY   
LOUIS GRAHAM ARCENEAUX  
Bar Roll No. 25334  
STACY C. WHEAT  
Bar Roll No. 19826  
FRED J. DAIGLE  
Bar Roll No. 24066  
601 Poydras St., Suite 2210  
New Orleans, LA 70130  
Phone: (504) 522-8256

## **EXHIBIT E TO NOTICE OF REMOVAL**



15<sup>TH</sup> JUDICIAL DISTRICT COURT FOR THE PARISH OF LAFAYETTE

STATE OF LOUISIANA

NO.: \_\_\_\_\_

DIVISION \_\_\_\_\_

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To obtain financing for the transaction, **CORMIER** signed a promissory note dated June 15, 2007, evidencing a loan received from Meritas Mortgage, LLC in the amount of \$164,000.00. **CORMIER** neither received nor is aware that authentic evidence of this note was filed in this executory proceeding.

10.

To secure the transaction, **CORMIER** granted a mortgage on the property in favor of Meritas Mortgage, LLC, its successors and/or assigns, in the amount of \$164,000.00. Meritas, thereafter assigned the mortgage note and mortgage to AmTrust Bank and AmTrust Financial Services, Inc., a lender based in New York, New York, although **CORMIER** neither received nor is aware that authentic evidence of this assignment was filed in the public records of Lafayette Parish, Louisiana or in the executory proceeding.

11.

In August 2007, **CORMIER** commenced sending AmTrust Bank monthly principal and interest payments in the amount of \$1,300.00. For approximately two (2) years **CORMIER** consistently and timely provided AmTrust the required monthly payment due, totaling over \$31,000.00.

12.

In 2009, AmTrust Bank assigned **CORMIER'S** loan and mortgage to **CHASE HOME FINANCE, LLC**, although **CORMIER** neither received nor is aware that authentic evidence of this assignment was filed in the public records of Lafayette Parish, Louisiana or in the executory proceeding.

13.

In November 2009, **CORMIER** elected to participate in **CHASE'S** FastPay program, wherein **CHASE** began to deduct **CORMIER'S** monthly mortgage payment directly from his IberiaBank checking account. **CHASE** notified **CORMIER** that it received the November, 2009 payment, but failed to reflect said payment on **CORMIER'S** December, 2009 mortgage statement. **CHASE** continued to deduct **CORMIER'S** monthly mortgage payment from his personal checking account, but repeatedly failed to apply said payments to his principal balance and indicated a delinquency.

14.

Also in November, 2009, **CHASE** offered to enroll **CORMIER** in its Home Affordable Modification Trial Period Plan to determine his potential eligibility to qualify for the federal government's Home Affordable Modification Program (HAMP).

15.

On or about December 8, 2009, **CORMIER** accepted **CHASE'S** offer to participate in the Home Affordable Modification Trial Period Plan, and forwarded **CHASE** all requested documentation. **CHASE** provided documentation indicating **CORMIER'S** trial period monthly payment as \$1,103.63. Nevertheless, **CHASE** continued to send **CORMIER** notices of delinquency based on their original monthly mortgage payment, and failed to credit **CORMIER'S** account balance with the actual payments being made.

16.

**CORMIER** attempted to address these issues directly with **CHASE**, which entailed countless frustrating hours on the telephone, week after week, enduring an endless series of roadblocks, dead-ends, unreturned calls, hand-offs to other departments, and numerous other bad faith stalling tactics specifically designed to overwhelm, exhaust, frustrate and deter any resolution of his loan and loan modification issues and problems.

17.

On the rare occasions **CORMIER** reached a **CHASE** loan modification representative by phone, **CHASE** advised him to disregard the inaccurate letters of delinquency and advised that in order to qualify for a permanent loan modification, his account was required to reflect a delinquent status. **CHASE** instructed **CORMIER** to continue paying the trial period payment amount until a final determination had been made, placing **CORMIER** further into delinquency each month during the trial period.

18.

Between January, 2010 and June, 2010, **CHASE** repeatedly informed **CORMIER** that he was required to submit certain documentation to complete his loan modification plan. Upon each request, **CORMIER** submitted and re-submitted the entire packet of required documentation. Upon each submission, **CORMIER** attempted to verify that **CHASE** received the documentation he submitted. **CHASE** ultimately denied **CORMIER'S** permanent loan modification due to **CORMIER'S** alleged failure to submit the required documentation.

19.

Shortly following its denial of **CORMIER'S** loan modification, **CHASE** instituted foreclosure proceedings through executory process against **CORMIER'S** residence, inaccurately alleging the amount due and owing under the terms of the loan and the trial modification period.

20.

**CHASE'S** private mortgage insurance coverage for this loan, along with the federal government's "bail out" protections, allows **CHASE** to financially benefit from the seizure and sale of **CORMIER'S** property, which is scheduled to occur on May 25, 2011.

**ACTION FOR DAMAGES**

21.

**CORMIER** re-pleads and re-alleges the allegations in the prior paragraphs as if set forth in full.

22.

**CORMIER** alleges **CHASE** breached the legal duty owed to him to administer its loan modification program in good faith and to provide accurate information concerning his application status, and breached the loan modification contract accepted by **CORMIER**.

23.

**CORMIER** alleges **CHASE** breached the implied loan modification contract between the parties, and negotiated said contract in bad faith.

24.

**CORMIER** alleges **CHASE** intentionally and/or negligently misrepresented information about the assignment of his mortgage loan and its loan modification program, and intentionally and/or with gross negligence mismanaged the loan modification contract to ensure excessive fees and delinquencies were assessed, resulting in the ultimate foreclosure of **CORMIER'S** property, to the exclusive benefit of **CHASE**.

25.

**CORMIER** alleges **CHASE** violated the covenants in the Act of Mortgage, which provided **CORMIER** the unconditional right to reinstate his loan.

26.

**CORMIER** alleges **CHASE'S** deceptive and bad faith conduct amounts to the tortious interference of **CORMIER'S** mortgage loan contract and loan modification contract, and further avails himself to claims against **CHASE** arising under any theory of law not specifically alleged but may be shown at the time of the trial of this matter.

27.

**CORMIER** alleges **CHASE** improperly seized his property by improperly initiating its proceeding through executory process.

28.

**CORMIER** alleges **CHASE'S** deceptive and unfair business dealings with respect to its loan modification program violated Louisiana Revised Statute 15:1401 *et seq.*, the Louisiana Unfair Trade Practices Act, entitling **CORMIER** to damages, attorney fees, and costs.

CAUSE FOR PRELIMINARY OR PERMANENT INJUNCTION TO  
ARREST SEIZURE AND SALE

29.

**CORMIER** requests that after due proceedings are had, this Honorable Court issue a preliminary or permanent injunction arresting the seizure and sale of Plaintiff's property on the basis that:

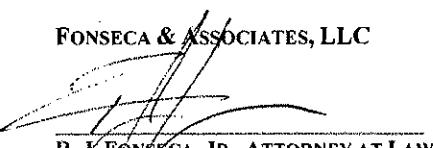
1. **CHASE**, in its petition and its attachments for executory process, failed to properly satisfy the legal requisites for said proceeding;
2. A favorable resolution of the claims alleged by **CORMIER**, following a determination of the facts and governing law, would render **CHASE'S** foreclosure proceeding moot. **CORMIER** is due to suffer irreparable harm if these issues are not resolved prior to the scheduled sheriff's sale. In *Indymac Fed. Bank, FSB v. Groshon*, 45 So.3d 170 (La. 2010), the court upheld the trial court's injunction, finding unanswered factual questions about whether the parties entered a forbearance agreement.
3. **CORMIER** specifically alleges fraud, breach of contract, negligent misrepresentation, breach of Defendants' duty to act and negotiate in good faith, and tortious interference with contract as affirmative defenses to the legal enforceability of Plaintiff's mortgage.

**WHEREFORE, JONAH J. CORMIER** prays that Defendants be cited and served and that after due proceeding that judgment be rendered herein in favor of **JONAH J. CORMIER** and against **JPMORGAN CHASE & CO** and **CHASE HOME FINANCE, LLC** with all costs imposed on Defendants, including damages and attorney's fees to the extent recoverable under the law and the evidence.

**CORMIER** further prays for all relief proper in the premises and for full, general and equitable relief.

Respectfully submitted by:

FONSECA & ASSOCIATES, LLC



R. J. FONSECA, JR., ATTORNEY AT LAW  
Bar Roll No. 26883  
217 Rue Louis XIV, Suite 100  
Lafayette, LA 70508  
(337) 456-1163 office  
(337) 232-8740 facsimile

**PLEASE SERVE:**

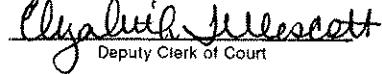
1. Chase Home Finance, LLC through its Registered Agent:
3. Chase Home Finance, LLC through its attorney of record:

C T Corporation System  
5615 Corporate Blvd., Ste. 400B  
Baton Rouge, Louisiana 70808;

Fred J. Daigle, Attorney at Law  
Graham, Arceneaux, & Allen, LLC  
601 Poydras, Suite 2210  
New Orleans, Louisiana 70130

2. JPMorgan Chase & Co:

Through the Secretary of State;  
and,

FILED THIS 28  
DAY OF March, 2011  
  
Deputy Clerk of Court



15<sup>TH</sup> JUDICIAL DISTRICT COURT FOR THE PARISH OF LAFAYETTE  
STATE OF LOUISIANA

NO.: \_\_\_\_\_

DIVISION \_\_\_\_\_

JONAH J. CORMIER

versus

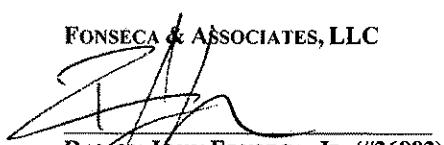
JPMORGAN CHASE & CO AND CHASE HOME FINANCE, LLC

**REQUEST FOR NOTICE OF TRIAL, HEARINGS AND ORDERS**

**PLEASE TAKE NOTICE** that Ramon John Fonseca, Jr., attorney for **JONAH J. CORMIER**, does hereby request written notice of the date of trial of the above matter, as well as notice of all hearings, (whether on merits or otherwise), Orders, Judgments and interlocutory decrees, and any and all formal steps taken by the parties herein as provided by Louisiana Code of Civil Procedure Articles 1572, 1913, and 1914. I hereby certify that a copy of this Notice has this date been forwarded to all parties by depositing same in the United States Mail, postage prepaid and properly addressed.

Respectfully Submitted by,

FONSECA & ASSOCIATES, LLC



RAMON JOHN FONSECA, JR. (#26883)  
ATTORNEY AT LAW  
217/Rue Louis XIV, Suite 100  
Lafayette, Louisiana 70508  
Telephone: (337) 456-1163  
Facsimile: (337) 232-8740

FILED THIS 28  
DAY OF March, 20 11  
Elyalicia M. Meccett  
Deputy Clerk of Court



15<sup>TH</sup> JUDICIAL DISTRICT COURT FOR THE PARISH OF .

STATE OF LOUISIANA

NO. \_\_\_\_\_

DIVISION \_\_\_\_\_

JONAH J. CORMIER

versus

JPMORGAN CHASE & CO AND CHASE HOME FINANCE, LLC

VERIFICATION

STATE OF LOUISIANA

PARISH OF LAFAYETTE

BEFORE ME, the undersigned authority, personally came and appeared:

JONAH J. CORMIER

who, after being duly sworn, did depose and say that:

He is the petitioner in the above-entitled matter, and that all of the allegations contained in the PETITION FOR DAMAGES AND FOR PRELIMINARY INJUNCTION TO ARREST SEIZURE AND SALE are true and correct to the best of his knowledge and belief.

JONAH J. CORMIER

Sworn to and Subscribed before me, Notary Public, at Lafayette, Louisiana, this 11<sup>th</sup>, day of March, 2011.

NOTARY PUBLIC

FILED THIS 28  
DAY OF March, 2011  
Elyalid Illescott  
Deputy Clerk of Court



15<sup>TH</sup> JUDICIAL DISTRICT COURT FOR THE PARISH OF LAFAYETTE  
STATE OF LOUISIANA

NO.: \_\_\_\_\_

DIVISION \_\_\_\_\_

JONAH J. CORMIER

versus

JPMORGAN CHASE & CO AND CHASE HOME FINANCE, LLC

VERIFICATION

STATE OF LOUISIANA  
PARISH OF LAFAYETTE

BEFORE ME, the undersigned authority, personally came and appeared:

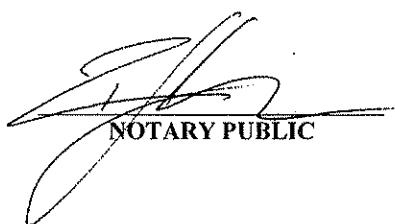
JONAH J. CORMIER

who, after being duly sworn, did depose and say that:

He is the petitioner in the above-entitled matter, and that all of the allegations contained in the **PETITION FOR DAMAGES AND FOR PRELIMINARY INJUNCTION TO ARREST SEIZURE AND SALE** are true and correct to the best of his knowledge and belief.

  
\_\_\_\_\_  
JONAH J. CORMIER

Sworn to and Subscribed, before me, Notary Public, at Lafayette,  
Louisiana, this 11<sup>th</sup>, day of March, 2011.

  
\_\_\_\_\_  
NOTARY PUBLIC

FILED THIS 28  
DAY OF March, 2011  
  
Elyalicia D. Scott  
Deputy Clerk of Court



15<sup>TH</sup> JUDICIAL DISTRICT COURT FOR THE PARISH OF LAFAYETTE

STATE OF LOUISIANA

NO.: \_\_\_\_\_

DIVISION \_\_\_\_\_

JONAH J. CORMIER

versus

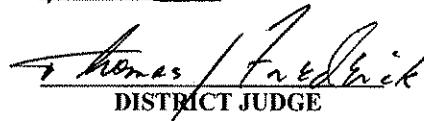
JPMORGAN CHASE & CO AND CHASE HOME FINANCE, LLC

**ORDER FOR RULE TO SHOW CAUSE**

Considering the above and foregoing;

IT IS ORDERED that JONAH J. CORMIER, JPMORGAN CHASE & CO and CHASE HOME FINANCE, LLC, show cause on the 14 day of May, 2011 at 10 o'clock AM, why a preliminary or permanent injunction arresting the seizure and sale of immovable property should not be issued.

Lafayette, Louisiana, this 29 day of March, 2011.

  
Jones Frederick  
DISTRICT JUDGE

Respectfully submitted by:

FONSECA & ASSOCIATES, LLC

  
R. J. FONSECA, JR., ATTORNEY AT LAW  
Bar Roll No. 26883  
217 Rue Louis XIV, Suite 100  
Lafayette, LA 70508  
(337) 456-1163 office  
(337) 232-8740 facsimile

**PLEASE SERVE:**

1. Chase Home Finance, LLC through its Registered Agent:

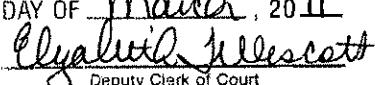
C T Corporation System  
5615 Corporate Blvd., Ste. 400B  
Baton Rouge, Louisiana 70808;

2. JPMorgan Chase & Co:

Through the Secretary of State;  
and,

3. Chase Home Finance, LLC through its attorney of record:

Fred J. Daigle, Attorney at Law  
Graham, Arceneaux, & Allen, LLC  
601 Poydras, Suite 2210  
New Orleans, Louisiana 70130

FILED THIS 29  
DAY OF March, 2011  
  
Deputy Clerk of Court



**Louis J. Perret  
Clerk of Court, Lafayette Parish  
P. O. Box 2009  
Lafayette, LA 70502  
Telephone: (337) 291-6400**

**March 30, 2011**

**RAMON J FONSECA JR  
217 RUE LOUIS XIV STE 100  
LAFAYETTE, LA 70508-5778**

**RE:           JONAH J CORMIER  
VS  
CHASE HOME FINANCE LLC, ET AL  
Docket Number: C-20111813 A**

Dear Sir or Madam:

In accordance with R. S. 9:28007, when a suit has been filed in State District Court for personal injury, you are required to complete Section A of the attached reporting form from the Commissioner of Insurance.

Please return the attached reporting form immediately to the Lafayette Parish Clerk of Court Office for further processing.

Should you have any questions concerning this matter, please do not hesitate to contact us.

Sincerely,

  
Cheryl Mescott  
Deputy Clerk of Court  
Lafayette Parish

Fax Conf Cost \_\_\_\_\_

**CIVIL CHARGE SHEET**

20541397

Docket # / Div: 2011-1813A

Date / Fax File Stamp Only

Headed By: KayAdv. Deposit: \$ \_\_\_\_\_  
(Initials)Walk Thru: \_\_\_\_\_  
(Instructions)

Court Cost:

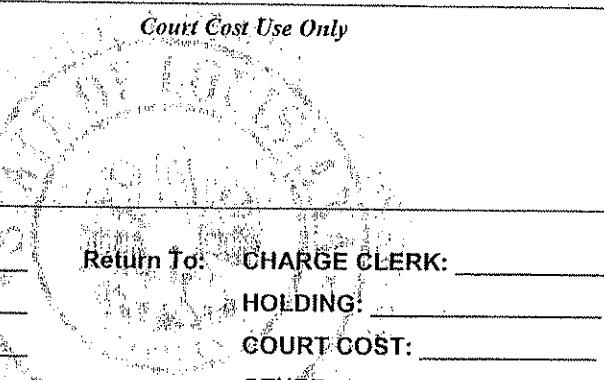
- Abandonment  
 Cancellation  
 Dismissal  
 Garn Release  
 Sat of JMT  
 Return Originals  
 No. of Atty's

HOLD (Sheriff Only)       HOLD (Both)  
 Return on Writ       Canc of S & S

CLERK OF COURT  
LAURETTE PARISH, LA.  
MAR 28 2011

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*Court Cost Use Only*



Route To: 1 \_\_\_\_\_  
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Return To: CHARGE CLERK: \_\_\_\_\_  
 HOLDING: \_\_\_\_\_  
 COURT COST: \_\_\_\_\_  
 OTHER: \_\_\_\_\_  
 CERTIFICATE: \_\_\_\_\_

**PROCESSING CHARGES**

No Add'l Charges Required

Description	QTY	Description	QTY
Cert Copy Stamps	15	Letter - General Return	
Cert Mail / Return Receipt		Letter - Ntc of Signing JMT	
Citation	3	Notice of Hearing	1
Citation - Ntc of JMT		Rule NiSi	3
Conformed Group	1	Subpoena	
Copies / # of Pages	36	Sub DT	
Fax Outgoing		TRO	
JMT Recorded (Mtg)		TRO Recorded	
JMT Recorded (Conv)		Writ of:	
JMT Recorded (Both)		Other:	
Letter - Address Request			
Letter - Cert of Divorce			
Letter - Comm of Ins	1		

Court Dates:

Temp: \_\_\_\_\_

HOC: \_\_\_\_\_

Rule: \_\_\_\_\_

Reset: \_\_\_\_\_

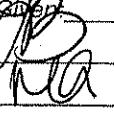
Conf: \_\_\_\_\_

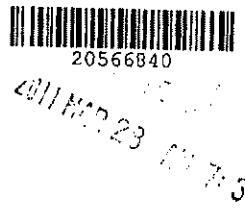
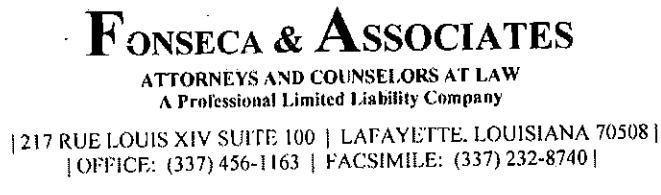
NOTES / REMARKS:

Charge Clerk / Intake Clerk Use Only

Certified Copy Given: \_\_\_\_\_

Conformed Group Given: \_\_\_\_\_

Charge Clerk: Processed By: 



March 24, 2011

Honorable Louis J. Perret  
Clerk of Court, Lafayette Parish  
P.O. Box 2009  
Lafayette, LA 70502

**Re: Jonah J. Cormier v.  
JPMorgan Chase & Co., et al  
15<sup>th</sup> JDC Lafayette Parish, Louisiana**

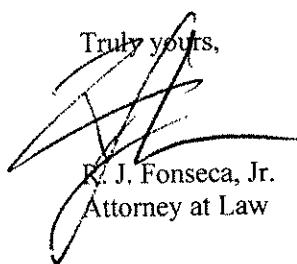
Dear Mr. Perret:

In connection with the above, please find enclosed for filing a Petition for Damages and for Preliminary or Permanent Injunctive Relief to Arrest Seizure and Sale; Verification; Request for Notice; and my firm's check to cover filing fees. Please file the above of record and notice all parties as indicated and return a conformed copy to my office for completion of my file.

mailed 3-30-11

Should you have any questions or require anything further to comply with my request, please do not hesitate to contact my office.

Thanking you in advance for your usual prompt service, I remain,

Truly yours,  
  
R. J. Fonseca, Jr.  
Attorney at Law

RJF/tf

Enclosures



D20655718  
cc\_ etwescott

Ordered by Atty.: R.J. FONSECA, JR.

## CITATION

JONAH J CORMIER

Fifteenth Judicial District Court

VS

Docket Number: C-20111813 A

CHASE HOME FINANCE LLC, ET AL

Parish of Lafayette, Louisiana

---

STATE OF LOUISIANA

TO: CHASE HOME FINANCE, LLC  
THROUGH ITS REGISTERED AGENT:  
CT CORPORATION SYSTEM  
5615 CORPORATE BLVD.  
STE. 400B  
BATON ROUGE, LA 70808

of the Parish of E. BATON ROUGE

You are hereby cited to comply with the demand contained in the petition, a certified copy of which accompanies this citation, (exclusive of exhibits). Alternatively, you should file an answer or other pleading to said petition in the office of the Clerk of the Fifteenth Judicial District Court, in the Lafayette Parish Courthouse, Lafayette, Louisiana, within fifteen (15) days after the service hereof. Your failure to comply herewith will subject you to the penalty of entry of default judgment against you.

Witness the Honorable Judges of said Court, this March 30, 2011.

  
Deputy Clerk of Court  
Lafayette Parish

\*Attached are the following documents:

CC: PETITION FOR DAMAGES AND FOR PRELIMINARY OR PERMANENT INJUNCTIVE  
RELIEF TO ARREST SEIZURE AND SALE, VERIFICATION, REQUEST FOR NOTICE OF TRIAL,  
HEARINGS AND ORDERS, AND ORDER FOR RULE TO SHOW CAUSE

---

SHERIFF'S RETURN

Lafayette Parish Sheriff

Date Served: \_\_\_\_\_, 20\_\_\_\_ Time: \_\_\_\_\_

Served: \_\_\_\_\_

Personal ( ) \_\_\_\_\_

Domiciliary ( ) on \_\_\_\_\_

Unable to Locate      Moved ( )      No Such Address ( )

Other Reason: \_\_\_\_\_

Received Too Late For Service ( )

Service Of Within Papers

Costs Fee \$\_\_\_\_\_ Mileage \$\_\_\_\_\_ Total \$\_\_\_\_\_

Deputy \_\_\_\_\_



D20655759  
cc\_etwescott

Ordered by Atty.: R.J. FONSECA, JR

## CITATION

JONAH J CORMIER

Fifteenth Judicial District Court

VS

Docket Number: C-20111813 A

CHASE HOME FINANCE LLC, ET AL

Parish of Lafayette, Louisiana

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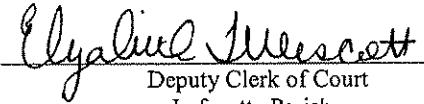
### STATE OF LOUISIANA

TO: JPMORGAN CHASE & CO:  
THROUGH THE SECRETARY OF STATE

of the Parish of E. BATON ROUGE

You are hereby cited to comply with the demand contained in the petition, a certified copy of which accompanies this citation, (exclusive of exhibits). Alternatively, you should file an answer or other pleading to said petition in the office of the Clerk of the Fifteenth Judicial District Court, in the Lafayette Parish Courthouse, Lafayette, Louisiana, within fifteen (15) days after the service hereof. Your failure to comply herewith will subject you to the penalty of entry of default judgment against you.

Witness the Honorable Judges of said Court, this March 30, 2011.

  
\_\_\_\_\_  
Deputy Clerk of Court  
Lafayette Parish

\*Attached are the following documents:

CC: PETITION FOR DAMAGES AND FOR PRELIMINARY OR PERMANENT INJUNCTIVE  
RELIEF TO ARREST SEIZURE AND SALE, VERIFICATION, REQUEST FOR NOTICE OF TRIAL,  
HEARINGS AND ORDERS, AND ORDER FOR RULE TO SHOW CAUSE

---

### SHERIFF'S RETURN

Lafayette Parish Sheriff

Date Served: \_\_\_\_\_, 20\_\_\_\_ Time: \_\_\_\_\_

Served: \_\_\_\_\_

Personal ( ) \_\_\_\_\_

Domiciliary ( ) on \_\_\_\_\_

Unable to Locate      Moved ( )      No Such Address ( )

Other Reason: \_\_\_\_\_

Received Too Late For Service ( )

Service Of Within Papers

Costs Fee \$\_\_\_\_\_ Mileage \$\_\_\_\_\_ Total \$\_\_\_\_\_

Deputy \_\_\_\_\_



D20655676  
cc\_etwescott

Ordered by Atty.: R.J. FONSECA, JR

## CITATION

JONAH J CORMIER

Fifteenth Judicial District Court

VS

Docket Number: C-20111813 A

CHASE HOME FINANCE LLC, ET AL

Parish of Lafayette, Louisiana

---

### STATE OF LOUISIANA

TO: CHASE HOME FINANCE, LLC  
THROUGH ITS ATTORNEY OF RECORD:  
FRED J. DAIGLE, ATTORNEY AT LAW  
GRAHAM, ARCENEAUX, & ALLEN, LLC  
601 POYDRAS, SUITE 2210  
NEW ORLEANS, LA 70130

of the Parish of ORLEANS

You are hereby cited to comply with the demand contained in the petition, a certified copy of which accompanies this citation, (exclusive of exhibits). Alternatively, you should file an answer or other pleading to said petition in the office of the Clerk of the Fifteenth Judicial District Court, in the Lafayette Parish Courthouse, Lafayette, Louisiana, within fifteen (15) days after the service hereof. Your failure to comply herewith will subject you to the penalty of entry of default judgment against you.

Witness the Honorable Judges of said Court, this March 30, 2011.

*Elyseith Wescott*  
Deputy Clerk of Court  
Lafayette Parish

\*Attached are the following documents:

CC: PETITION FOR DAMAGES AND FOR PRELIMINARY OR PERMANENT INJUNCTIVE RELIEF TO ARREST SEIZURE AND SALE, VERIFICATION, REQUEST FOR NOTICE OF TRIAL, HEARINGS AND ORDERS, AND ORDER FOR RULE TO SHOW CAUSE

---

### SHERIFF'S RETURN

Lafayette Parish Sheriff

Date Served: \_\_\_\_\_, 20\_\_\_\_ Time: \_\_\_\_\_

Served: \_\_\_\_\_

Personal ( ) \_\_\_\_\_

Domiciliary ( ) on \_\_\_\_\_

Unable to Locate      Moved ( )      No Such Address ( )

Other Reason: \_\_\_\_\_

Received Too Late For Service ( )

Service Of Within Papers

Costs Fee \$ \_\_\_\_\_ Mileage \$ \_\_\_\_\_ Total \$ \_\_\_\_\_

Deputy \_\_\_\_\_



D20655650

cc\_etwescott

## NOTICE OF HEARING DATE OF SUIT

**TO:** RAMON J FONSECA JR  
217 RUE LOUIS XIV STE 100  
LAFAYETTE, LA 70508-5778

**JONAH J CORMIER**

**Fifteenth Judicial District Court**

**VS**

**Docket Number: C-20111813 A**

**Before Judge JOHN D. TRAHAN**

**CHASE HOME FINANCE LLC, ET AL**

**Parish of Lafayette, Louisiana**

The above numbered and entitled case in which you are attorney for plaintiff/defendant has been set for hearing in the Lafayette Parish Courthouse, Lafayette, Louisiana, for **MAY 16, 2011**, at the hour of **10:00 A.M..**

### **RULE/MOTION:**

**PRELIMINARY OR PERMANENT INJUNCTION ARRESTING THE SEIZURE AND SALE OF  
IMMOVABLE PROPERTY ISSUED, FILED ON BEHALF OF JONAH J. CORMIER**

Lafayette, Louisiana, this March 30, 2011 .

Deputy Clerk of Court  
Lafayette Parish

cc:

Order Date:MARCH 29, 2011

Filed Date: 3/28/2011



D20655742

cc\_etwescott

Ordered by Atty.: R.J. FONSECA, JR

## RULE NISI

JONAH J CORMIER Fifteenth Judicial District Court

VS Docket Number: C-20111813 A  
Before Judge JOHN D. TRAHAN

CHASE HOME FINANCE LLC, ET AL Parish of Lafayette, Louisiana

TO: CHASE HOME FINANCE, LLC  
THROUGH ITS REGISTERED AGENT:  
CT CORPORATION SYSTEM  
5615 CORPORATE BLVD.  
STE. 400B  
BATON ROUGE, LA 70808

BY VIRTUE OF an order from the Honorable Court, Fifteenth Judicial District Court in and for the Parish of Lafayette, State of Louisiana of date MARCH 29, 2011, you are hereby ordered to appear in Open Court on **MAY 16, 2011**, at 10:00 A.M., in order to show cause why you should not comply with the attached order.

WITNESS THE HONORABLE, Judges of the said Court, at Lafayette Parish, Louisiana, this March 30, 2011.

  
\_\_\_\_\_  
Deputy Clerk of Court  
Lafayette Parish

\*Attached are the following documents:

CC: PETITION FOR DAMAGES AND FOR PRELIMINARY OR PERMANENT INJUNCTIVE RELIEF TO ARREST SEIZURE AND SALE, VERIFICATION, REQUEST FOR NOTICE OF TRIAL, HEARINGS AND ORDERS, AND ORDER FOR RULE TO SHOW CAUSE

SHERIFF'S RETURN  
Lafayette Parish Sheriff

Date Served: \_\_\_\_\_, 20 \_\_\_\_ Time: \_\_\_\_\_  
Served: \_\_\_\_\_  
Personal ( ) \_\_\_\_\_  
Domiciliary ( ) on \_\_\_\_\_  
Unable to Locate Moved ( ) No Such Address ( )  
Other Reason: \_\_\_\_\_  
Received Too Late For Service ( )  
Service Of Within Papers  
Costs Fee \$ \_\_\_\_\_ Mileage \$ \_\_\_\_\_ Total \$ \_\_\_\_\_  
Deputy \_\_\_\_\_

Children under 12 are not allowed in Court unless they are parties, witnesses or part of an educational group. Please dress appropriately. Cellular phones and beepers must be on silent or off.



D20655783

cc\_etwescott

Ordered by Atty.: R.J. FONSECA, JR

## RULE NISI

JONAH J CORMIER Fifteenth Judicial District Court

VS Docket Number: C-20111813 A  
Before Judge JOHN D. TRAHAN

CHASE HOME FINANCE LLC, ET AL Parish of Lafayette, Louisiana

---

TO: JPMORGAN CHASE & CO:  
THROUGH THE SECRETARY OF STATE

BY VIRTUE OF an order from the Honorable Court, Fifteenth Judicial District Court in and for the Parish of Lafayette, State of Louisiana of date MARCH 29, 2011, you are hereby ordered to appear in Open Court on MAY 16, 2011, at 10:00 A.M., in order to show cause why you should not comply with the attached order.

WITNESS THE HONORABLE, Judges of the said Court, at Lafayette Parish, Louisiana, this March 30, 2011.

  
\_\_\_\_\_  
Deputy Clerk of Court  
Lafayette Parish

\*Attached are the following documents:

CC: PETITION FOR DAMAGES AND FOR PRELIMINARY OR PERMANENT INJUNCTIVE RELIEF TO ARREST SEIZURE AND SALE, VERIFICATION, REQUEST FOR NOTICE OF TRIAL, HEARINGS AND ORDERS, AND ORDER FOR RULE TO SHOW CAUSE

---

SHERIFF'S RETURN  
Lafayette Parish Sheriff

Date Served: \_\_\_\_\_, 20 \_\_\_\_ Time: \_\_\_\_\_  
Served: \_\_\_\_\_  
Personal ( ) \_\_\_\_\_  
Domiciliary ( ) on \_\_\_\_\_  
Unable to Locate \_\_\_\_\_ Moved ( ) \_\_\_\_\_ No Such Address ( )  
Other Reason: \_\_\_\_\_  
Received Too Late For Service ( )  
Service Of Within Papers  
Costs Fee \$ \_\_\_\_\_ Mileage \$ \_\_\_\_\_ Total \$ \_\_\_\_\_  
Deputy \_\_\_\_\_

---

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D20655700

cc\_etwescott

Ordered by Atty.: R.J. FONSECA, JR

## RULE NISI

JONAH J CORMIER Fifteenth Judicial District Court

VS Docket Number: C-20111813 A  
Before Judge JOHN D. TRAHAN

CHASE HOME FINANCE LLC, ET AL Parish of Lafayette, Louisiana

TO: CHASE HOME FINANCE, LLC  
THROUGH ITS ATTORNEY OF RECORD:  
FRED J. DAIGLE, ATTORNEY AT LAW  
GRAHAM, ARCEAUX, & ALLEN, LLC  
601 POYDRAS, SUITE 2210  
NEW ORLEANS, LA 70130

BY VIRTUE OF an order from the Honorable Court, Fifteenth Judicial District Court in and for the Parish of Lafayette, State of Louisiana of date MARCH 29, 2011, you are hereby ordered to appear in Open Court on MAY 16, 2011, at 10:00 A.M., in order to show cause why you should not comply with the attached order.

WITNESS THE HONORABLE, Judges of the said Court, at Lafayette Parish, Louisiana, this March 30, 2011.

*Elyalicia J. Elluscott*  
Deputy Clerk of Court  
Lafayette Parish

\*Attached are the following documents:

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SHERIFF'S RETURN  
Lafayette Parish Sheriff

Date Served: \_\_\_\_\_, 20\_\_\_\_ Time: \_\_\_\_\_  
Served: \_\_\_\_\_  
Personal ( ) \_\_\_\_\_  
Domiciliary ( ) on \_\_\_\_\_  
Unable to Locate Moved ( ) No Such Address ( )  
Other Reason: \_\_\_\_\_  
Received Too Late For Service ( )  
Service Of Within Papers  
Costs Fee \$ \_\_\_\_\_ Mileage \$ \_\_\_\_\_ Total \$ \_\_\_\_\_  
Deputy \_\_\_\_\_

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20592507

DZU655676

cc\_etwescott

Ordered by Atty.: R.J. FONSECA, JR.

## CITATION

**JONAH J CORMIER****Fifteenth Judicial District Court****VS****Docket Number: C-20111813 A****CHASE HOME FINANCE LLC, ET AL****Parish of Lafayette, Louisiana****STATE OF LOUISIANA**

**TO: CHASE HOME FINANCE, LLC  
THROUGH ITS ATTORNEY OF RECORD:  
FRED J. DAIGLE, ATTORNEY AT LAW  
GRAHAM, ARCENEAUX, & ALLEN, LLC  
601 POYDRAS, SUITE 2210  
NEW ORLEANS, LA 70130**

of the Parish of ORLEANS

You are hereby cited to comply with the demand contained in the petition, a certified copy of which accompanies this citation, (exclusive of exhibits). Alternatively, you should file an answer or other pleading to said petition in the office of the Clerk of the Fifteenth Judicial District Court, in the Lafayette Parish Courthouse, Lafayette, Louisiana, within fifteen (15) days after the service hereof. Your failure to comply herewith will subject you to the penalty of entry of default judgment against you.

Witness the Honorable Judges of said Court, this March 30, 2011.

*Elyana D. Wescott*  
Deputy Clerk of Court  
Lafayette Parish

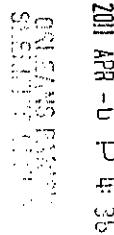
\*Attached are the following documents:

**CC: PETITION FOR DAMAGES AND FOR PRELIMINARY OR PERMANENT INJUNCTIVE RELIEF TO ARREST SEIZURE AND SALE, VERIFICATION, REQUEST FOR NOTICE OF TRIAL, HEARINGS AND ORDERS, AND ORDER FOR RULE TO SHOW CAUSE**

**SHERIFF'S RETURN**

Lafayette Parish Sheriff

Date Served: 4-5-11 Time: \_\_\_\_\_  
 Served: \_\_\_\_\_  
 Personal ( ) See Amie  
 Domiciliary ( ) on \_\_\_\_\_  
 Unable to Locate      Moved ( )      No Such Address ( )  
 Other Reason: \_\_\_\_\_



Received Too Late For Service ( )  
 Service Of Within Papers  
 Costs Fee \$ \_\_\_\_\_ Mileage \$ \_\_\_\_\_ Total \$ \_\_\_\_\_  
 Deputy Richard A. Spindel /3)

Lafayette Parish Clerk of Court  
Filed This Day

APR 11 2011  
Juliana Dugay  
 By Clerk of Court

19106 28



20592507

DZ0655676

cc\_etwescott

Ordered by Atty.: R.J. FONSECA, JR.

## CITATION

JONAH J CORMIER

Fifteenth Judicial District Court

VS

Docket Number: C-20111813 A

CHASE HOME FINANCE LLC, ET AL

Parish of Lafayette, Louisiana

**STATE OF LOUISIANA**

**TO:** CHASE HOME FINANCE, LLC  
 THROUGH ITS ATTORNEY OF RECORD:  
 FRED J. DAIGLE, ATTORNEY AT LAW  
 GRAHAM, ARCENEAUX, & ALLEN, LLC  
 601 POYDRAS, SUITE 2210  
 NEW ORLEANS, LA 70130

of the Parish of ORLEANS

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Witness the Honorable Judges of said Court, this March 30, 2011.


  
Deputy Clerk of Court  
Lafayette Parish

\*Attached are the following documents:

**CC: PETITION FOR DAMAGES AND FOR PRELIMINARY OR PERMANENT INJUNCTIVE RELIEF TO ARREST SEIZURE AND SALE, VERIFICATION, REQUEST FOR NOTICE OF TRIAL, HEARINGS AND ORDERS, AND ORDER FOR RULE TO SHOW CAUSE**

**SHERIFF'S RETURN**

Lafayette Parish Sheriff

Date Served: 4-5-, 20 11 Time: \_\_\_\_\_

Served: \_\_\_\_\_

Personal ( ) See Amee

Domiciliary ( ) on \_\_\_\_\_

Unable to Locate      Moved ( )      No Such Address ( )

Other Reason: \_\_\_\_\_

Received Too Late For Service ( )

Service Of Within Papers

Costs Fee \$ \_\_\_\_\_ Mileage \$ \_\_\_\_\_ Total \$ \_\_\_\_\_

Deputy Richard A Spindel 131

Lafayette Parish Clerk of Court  
Filed This Day

RECEIVED  
APR - 11 P.M.  
2011  
SHERIFF'S OFFICE  
LAFAYETTE PARISH  
LA

RECEIVED

APR 11 2011  
1 9106 28  
R  
JULYNDIA  
By/ Clerk of Court

20592382

DRAFTED, JU

cc\_etwescott

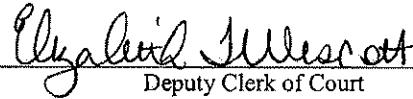
Ordered by Atty.: R.J. FONSECA, JR

**RULE NISI****JONAH J CORMIER****Fifteenth Judicial District Court****VS****Docket Number: C-20111813 A  
Before Judge JOHN D. TRAHAN****CHASE HOME FINANCE LLC, ET AL****Parish of Lafayette, Louisiana**

**TO: CHASE HOME FINANCE, LLC  
THROUGH ITS ATTORNEY OF RECORD:  
FRED J. DAIGLE, ATTORNEY AT LAW  
GRAHAM, ARCENEAUX, & ALLEN, LLC  
601 POYDRAS, SUITE 2210  
NEW ORLEANS, LA 70130**

**BY VIRTUE OF** an order from the Honorable Court, Fifteenth Judicial District Court in and for the Parish of Lafayette, State of Louisiana of date MARCH 29, 2011, you are hereby ordered to appear in Open Court on **MAY 16, 2011**, at **10:00 A.M.**, in order to show cause why you should not comply with the attached order.

**WITNESS THE HONORABLE**, Judges of the said Court, at Lafayette Parish, Louisiana, this March 30, 2011.



\_\_\_\_\_  
Deputy Clerk of Court  
Lafayette Parish

\*Attached are the following documents:

**CC: PETITION FOR DAMAGES AND FOR PRELIMINARY OR PERMANENT INJUNCTIVE RELIEF TO ARREST SEIZURE AND SALE, VERIFICATION, REQUEST FOR NOTICE OF TRIAL, HEARINGS AND ORDERS, AND ORDER FOR RULE TO SHOW CAUSE**

SHERIFF'S RETURN  
Lafayette Parish Sheriff

Date Served: 4 - 5 ., 20 11 Time: \_\_\_\_\_  
 Served: \_\_\_\_\_  
 Personal (  ) \_\_\_\_\_  
 Domiciliary (  ) on \_\_\_\_\_  
 Unable to Locate Moved (  ) No Such Address (  )  
 Other Reason: \_\_\_\_\_  
 Received Too Late For Service (  )  
 Service Of Within Papers  
 Costs Fee \$ \_\_\_\_\_ Mileage \$ \_\_\_\_\_ Total \$ \_\_\_\_\_  
 Deputy Richard G Spindler 0/13

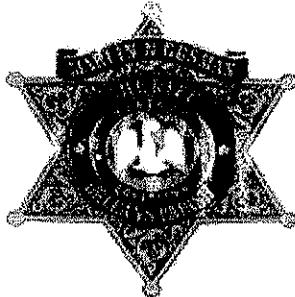
Children under 12 are not allowed in Court unless they are parties, witnesses or part of an educational group. Please dress appropriately. Cellular phones and beepers must be on silent or off.

Lafayette Parish Clerk of Court  
Filed This Day

APR 11 2011

Jeanine Dugas  
By Clerk of Court

2 9/04 28



**Marlin N. Gusman  
Sheriff, Orleans Parish  
421 Loyola Avenue  
Room 403  
New Orleans, LA 70112**

Parish: Lafayette

R. J. Fonseca

---

Bar Roll Number: 26883

**Case: (28)20111813**

**JONAH J CORMIER vs CHASE HOME FINANCE ETAL**

I HEREBY CERTIFY, that the Sheriff's fees due Marlin N. Gusman in the above case amount to the following:

<u>Serial Number</u>	<u>Service Type</u>	<u>Return Charge</u>
1	Citation & Petition	\$20.00

PLEASE RETURN STATEMENT WITH CHECK

New Orleans, LA

April 6, 2011

Larry J Reeves  
Deputy Sheriff

Clerk of Court, 15th District  
Hon. O. C. Dan Guillot  
P.O. Box 2009

Lafayette, La. 70502-2009



20591707

D200000700  
cc\_etwescott

Ordered by Atty.: R.J. FONSECA, JR

## RULE NISI

JONAH J CORMIER

Fifteenth Judicial District Court

VS

Docket Number: C-20111813 A  
Before Judge JOHN D. TRAHAN

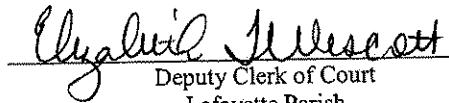
CHASE HOME FINANCE LLC, ET AL

Parish of Lafayette, Louisiana

TO: JPMORGAN CHASE & CO:  
THROUGH THE SECRETARY OF STATE

BY VIRTUE OF an order from the Honorable Court, Fifteenth Judicial District Court in and for the Parish of Lafayette, State of Louisiana of date MARCH 29, 2011, you are hereby ordered to appear in Open Court on MAY 16, 2011, at 10:00 A.M., in order to show cause why you should not comply with the attached order.

WITNESS THE HONORABLE, Judges of the said Court, at Lafayette Parish, Louisiana, this March 30, 2011.

  
\_\_\_\_\_  
Deputy Clerk of Court  
Lafayette Parish

\*Attached are the following documents:

CC: PETITION FOR DAMAGES AND FOR PRELIMINARY OR PERMANENT INJUNCTIVE RELIEF TO ARREST SEIZURE AND SALE, VERIFICATION, REQUEST FOR NOTICE OF TRIAL, HEARINGS AND ORDERS, AND ORDER FOR RULE TO SHOW CAUSE

SHERIFF'S RETURN  
Lafayette Parish Sheriff

Date Served: \_\_\_\_\_, 20 \_\_\_\_\_ Time: \_\_\_\_\_ APR 06 2011  
Served: \_\_\_\_\_  
Personal ( ) \_\_\_\_\_  
Domiciliary ( ) \_\_\_\_\_  
Unable to Locate Moved ( ) \_\_\_\_\_ No Such Address \_\_\_\_\_ made service on the named party through the \_\_\_\_\_  
Other Reason: \_\_\_\_\_ Office of the Secretary of State \_\_\_\_\_  
Received Too Late For Service ( ) \_\_\_\_\_  
Service Of Within Papers \_\_\_\_\_ Total \$ by tendering a copy of this document to \_\_\_\_\_  
Costs Fee \$ \_\_\_\_\_ Mileage \$ \_\_\_\_\_  
Deputy \_\_\_\_\_ JULIE NEBBITT  TAMMY GLOVER  MEGHAN SHANKS  
*C. Cummings* *Deputy* *Baton Rouge, Louisiana*

Children under 12 are not allowed in Court unless they are parties, witnesses or part of an educational group. Please dress appropriately. Cellular phones and beepers must be on silent or off.

Lafayette Parish Clerk of Court  
Filed This Day

APR 11 2011

  
\_\_\_\_\_  
Julie Dugas  
P. Clerk of Court

A standard linear barcode is positioned above the number 20591582. Below the barcode, the number 20591582 is printed in a large, bold, black font. Underneath the number, the text "cc etwescott" is printed in a smaller, black font.

Ordered by Atty.: R.J. FONSECA, JR.

## CITATION

JONAH J CORMIER

**Fifteenth Judicial District Court**

VS

**Docket Number: C-20111813 A**

CHASE HOME FINANCE LLC, ET AL

## **Parish of Lafayette, Louisiana**

---

**STATE OF LOUISIANA**

---

**TO: JPMORGAN CHASE & CO:  
THROUGH THE SECRETARY OF STATE**

of the Parish of E. BATON ROUGE

You are hereby cited to comply with the demand contained in the petition, a certified copy of which accompanies this citation, (exclusive of exhibits). Alternatively, you should file an answer or other pleading to said petition in the office of the Clerk of the Fifteenth Judicial District Court, in the Lafayette Parish Courthouse, Lafayette, Louisiana, within fifteen (15) days after the service hereof. Your failure to comply herewith will subject you to the penalty of entry of default judgment against you.

Witness the Honorable Judges of said Court, this March 30, 2011.

Elyseis J. Scott  
Deputy Clerk of Court  
Lafayette Parish

\*Attached are the following documents:

**CC: PETITION FOR DAMAGES AND FOR PRELIMINARY OR PERMANENT INJUNCTIVE  
RELIEF TO ARREST SEIZURE AND SALE, VERIFICATION, REQUEST FOR NOTICE OF TRIAL,  
HEARINGS AND ORDERS, AND ORDER FOR RULE TO SHOW CAUSE**

SHERIFF'S RETURN

Lafayette Parish Sheriff

Date Served: \_\_\_\_\_, 20\_\_\_\_ Time: \_\_\_\_\_ APR 3

Served: \_\_\_\_\_

Personal ( ) \_\_\_\_\_ I made service on the named party through the \_\_\_\_\_

Domiciliary ( ) on \_\_\_\_\_ Office of the Secretary of State

Unable to Locate Moved ( ) No Such Address ( ) by tendering a copy of this document to \_\_\_\_\_

Other Reason: \_\_\_\_\_  JULIE NESBITT  TAMMY GLOVER  MEGHAN SHANKS

Received Too Late For Service ( )

Service Of Within Papers

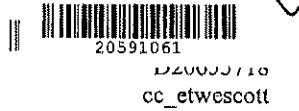
Costs Fee \$ \_\_\_\_\_ Mileage \$ \_\_\_\_\_ Total \$ \_\_\_\_\_ Deputy Sheriff, Parish of East Baton Rouge, Louisiana

Deputy \_\_\_\_\_

Lafayette Parish Clerk of Court  
Filed This Day

APR 11 2011

Charlyn Dugas  
Rvt. Clerk of Court



Ordered by Atty.: R.J. FONSECA, JR

## CITATION

JONAH J CORMIER

Fifteenth Judicial District Court

VS

Docket Number: C-20111813 A

CHASE HOME FINANCE LLC, ET AL

Parish of Lafayette, Louisiana

---

### STATE OF LOUISIANA

TO: CHASE HOME FINANCE, LLC  
THROUGH ITS REGISTERED AGENT:  
CT CORPORATION SYSTEM  
5615 CORPORATE BLVD.  
STE. 400B  
BATON ROUGE, LA 70808

of the Parish of E. BATON ROUGE

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Witness the Honorable Judges of said Court, this March 30, 2011.

  
Deputy Clerk of Court  
Lafayette Parish

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RELIEF TO ARREST SEIZURE AND SALE, VERIFICATION, REQUEST FOR NOTICE OF TRIAL,  
HEARINGS AND ORDERS, AND ORDER FOR RULE TO SHOW CAUSE

---

### SHERIFF'S RETURN

Lafayette Parish Sheriff

Date Served: \_\_\_\_\_, 20 \_\_\_\_ Time: \_\_\_\_\_  
Served: \_\_\_\_\_  
Personal ( ) \_\_\_\_\_  
Domiciliary ( ) on \_\_\_\_\_  
Unable to Locate Moved ( ) \_\_\_\_\_ No Such Address ( )  
Other Reason: \_\_\_\_\_  
Received Too Late For Service ( )  
Service Of Within Papers  
Costs Fee \$ \_\_\_\_\_ Mileage \$ \_\_\_\_\_ Total \$ \_\_\_\_\_  
Deputy \_\_\_\_\_

APR 06 2011  
Deputy service on the named party through the  
CT Corporation  
I am tendering a copy of this document to  
USA UTECH  
RODERICK THOMAS  
LYNETTE BASS  
JULIE CHISM  
E. Cummings  
Deputy Sheriff, Parish of East Baton Rouge, Louisiana

Lafayette Parish Clerk of Court  
Filed This Day

APR 11 2011

Stacy Dugas  
Clerk of Court

**Sid J. Gautreaux**  
Sheriff East Baton Rouge Parish

Clerk of Court Lafayette Parish  
P.O. Box 2009  
Lafayette, LA 70502

**DISTRICT COURT**  
For the Parish of East Baton Rouge  
4/7/2011

---

Case: (28) 20111813 JONAH J CORMIER vs CHASE HOME FINANCE LLC, ET AL

1,045,948

Nbr	Date	Service Type	Charges
RULE			
4	04/07/2011	Mileage Charge	\$9.36
4	04/07/2011	RULE JP MORGAN CHASE & CO; 1 Sos; BATON ROUGE, LA 70809	\$20.00
		Case Total:	<b>\$29.36</b>
		Total:	<b>\$29.36</b>

---

Please make check payable to:  
Sid J. Gautreaux, Sheriff  
P.O. Box 3277  
Baton Rouge, LA 70821

PLEASE RETURN THIS BILL WITH CHECK



20590501

DZ0000742  
cc\_etwescott

Ordered by Atty.: R.J. FONSECA, JR

## RULE NISI

JONAH J CORMIER

Fifteenth Judicial District Court

VS

Docket Number: C-20111813 A  
Before Judge JOHN D. TRAHAN

CHASE HOME FINANCE LLC, ET AL

Parish of Lafayette, Louisiana

TO: CHASE HOME FINANCE, LLC  
THROUGH ITS REGISTERED AGENT:  
CT CORPORATION SYSTEM  
5615 CORPORATE BLVD.  
STE. 400B  
BATON ROUGE, LA 70808

BY VIRTUE OF an order from the Honorable Court, Fifteenth Judicial District Court in and for the Parish of Lafayette, State of Louisiana of date MARCH 29, 2011, you are hereby ordered to appear in Open Court on MAY 16, 2011, at 10:00 A.M., in order to show cause why you should not comply with the attached order.

WITNESS THE HONORABLE, Judges of the said Court, at Lafayette Parish, Louisiana, this March 30, 2011.

*Elyalicia J. Wescott*  
Deputy Clerk of Court  
Lafayette Parish

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SHERIFF'S RETURN  
Lafayette Parish Sheriff

Date Served: \_\_\_\_\_, 20\_\_\_\_ Time: \_\_\_\_\_

Served: \_\_\_\_\_

Personal ( )

Domiciliary ( ) on \_\_\_\_\_

Unable to Locate Moved ( ) No Such Address ( )

Other Reason:

Received Too Late For Service ( )

Service Of Within Papers

Costs Fee \$ \_\_\_\_\_ Mileage \$ \_\_\_\_\_ Total \$ \_\_\_\_\_

Deputy \_\_\_\_\_

APR 06 2011

service on the named party through the  
CT Corporation

tendering a copy of this document to  
LISA UTIECH  RODERICK THOMAS  TYNETTE BASS  JULIE GHISM

Deputy Sheriff, Fifteenth Judicial District Court, Baton Rouge, Louisiana

Children under 12 are not allowed in Court unless they are parties, witnesses or part of an attorney's group. Please dress appropriately. Cellular phones and beepers must be off.

Lafayette Parish Clerk of Court  
Filed This Day

APR 11 2011

*Julie Dugay*  
Elyalicia J. Wescott  
Deputy Clerk of Court

**Sid J. Gautreaux  
Sheriff East Baton Rouge Parish**

Clerk of Court Lafayette Parish  
P.O. Box 2009  
Lafayette, LA 70502

**DISTRICT COURT**  
For the Parish of East Baton Rouge  
4/5/2011

---

Case: (28) 20111813 JONAH J CORMIER vs CHASE HOME FINANCE LLC, ET AL  
1,045,948

Nbr	Date	Service Type	Charges
RULE			
3	04/05/2011	Mileage Charge	\$9.36
3	04/05/2011	RULE CHASE HOME FINANCE, LLC; 1 Ct; BATON ROUGE, LA 70809	\$20.00
		Case Total:	<b>\$29.36</b>
		Total:	<b>\$29.36</b>

---

Please make check payable to:  
Sid J. Gautreaux, Sheriff  
P.O. Box 3277  
Baton Rouge, LA 70821

PLEASE RETURN THIS BILL WITH CHECK



20843785

⑨ McGLINCHY STAFFORD PLLC

7400

LOUISIANA MISSISSIPPI NEW YORK OHIO TEXAS

MEMORANDUM OF TRANSMITTAL

April 20, 2011

TO: Clerk of Court, Lafayette Parish  
Fax Number (337) 291-6392- Q91- (2450)

FROM: Jonathan Wilbourn

RE: Jouah J. Cormier vs. JPMorgan Chase & Co. and Chase Home Finance, LLC; Suit No. 2011-1813; Div. "A"  
Our File No. 13962.652

MESSAGES, NOTES, COMMENTS:

FAX

NO. OF PAGES: (Including Cover)

CLERK OF COURT  
LAFFAYETTE PARISH, LA.  
2011 APR 20 PM 4:03

IF YOU EXPERIENCE DIFFICULTIES IN TRANSMISSION, OR DO NOT RECEIVE ALL PAGES INDICATED, PLEASE CONTACT SUSAN SMITH, AT EXT. 454.

Confidentiality Statement

"The information contained in this facsimile message is attorney privileged and confidential information intended only for the use of the individual or entity named above. If you are not the intended recipient, or the employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any disclosure, dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this transmission in error, please immediately notify us by telephone and return the original message to us at the above address via the United States Postal Service."

Fourteenth Floor, One American Place, Baton Rouge, LA 70825 • (225) 383-6000 • Fax (225) 343-3078 • [www.mcglinchey.com](http://www.mcglinchey.com)

AB



15<sup>th</sup> JUDICIAL DISTRICT COURT FOR THE PARISH OF LAFAYETTE  
STATE OF LOUISIANA

NO. 2011-1813

DIV. "A"

JONAH J. CORMIER

VERSUS

JPMORGAN CHASE & CO. and CHASE HOME FINANCE LLC

FILED: \_\_\_\_\_

DEPUTY CLERK

**CONSENT MOTION FOR EXTENSION OF TIME TO  
FILE RESPONSIVE PLEADINGS**

NOW INTO COURT, through undersigned counsel, comes Chase Home Finance LLC and JPMorgan Chase & Co. (collectively "Chase"), who, while reserving all challenges to venue, the sufficiency of service of process, rights to compel arbitration, and any available defenses, requests an extension of time of an additional thirty (30) days in which to file responsive pleadings in the above-captioned matter for the following reasons:

1.

Chase was served with a copy of the plaintiff's petition on April 6, 2011.

2.

Chase requires additional time to investigate the factual assertions and claims made in the petition in order to prepare appropriate responsive pleadings.

3.

Chase's responsive pleadings are currently due on April 21, 2011.

4.

Chase requests an additional thirty (30) days within which to investigate the claims and file responsive pleadings, which is through and including May 23, 2011.

5.

This is the first request for an extension of time filed by Chase.

6.

Undersigned counsel has conferred with counsel for the plaintiff (R.J. Fonseca), who has represented that he has no objection to Chase's request for a thirty day extension of time in which to file responsive pleadings.

WHEREFORE, Chase Home Finance LLC and JPMorgan Chase & Co. request that they be granted an additional thirty (30) days within which to file responsive pleadings, which is through and including May 23, 2011.

RESPECTFULLY SUBMITTED:

McGLINCHY STAFFORD, PLLC

Michael D. Farach (Bar No. 19566)  
Jonathan G. Wilbourn (Bar No. 27683)  
Fourteenth Floor, One American Place  
Baton Rouge, Louisiana 70825  
Telephone: (225) 383-9000  
Telecopier: (225) 343-3076

ATTORNEYS CHASE HOME FINANCE LLC  
and JPMORGAN CHASE & CO.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the above and foregoing pleading has been served upon all counsel of record in this matter via U. S. Mail, first class, postage prepaid and properly addressed, this 20<sup>th</sup> day of April, 2011.

\_\_\_\_\_  
Jonathan G. Wilbourn

FILED THIS 20

APR 20 2011

*Jacqueline Hughey*  
U.S. District Court

**15<sup>th</sup> JUDICIAL DISTRICT COURT FOR THE PARISH OF LAFAYETTE  
STATE OF LOUISIANA.**

**NO. 2011-1813**

**DIV. "A"**

**JONAH J. CORMIER**

**VERSUS**

**JPMORGAN CHASE & CO. and CHASE HOME FINANCE LLC**

**FILED:** \_\_\_\_\_

**DEPUTY CLERK**

**ORDER**

The Consent Motion for Extension of Time considered;

IT IS HEREBY ORDERED that Chase Home Finance LLC and JPMorgan Chase & Co. be allowed an additional thirty (30) days, which is through and until May 23, 2011, in which to provide responsive pleadings to the petition filed in this matter.

THUS DONE AND SIGNED in \_\_\_\_\_, State of Louisiana on the \_\_\_\_\_ day of \_\_\_\_\_, 2011.

Judge, 15<sup>th</sup> Judicial District Court  
Parish of Lafayette, State of Louisiana

\*\*\*\*\*  
\*\*\* RX REPORT \*\*\*  
\*\*\*\*\*

RECEPTION OK

TX/RX NO	9934
RECIPIENT ADDRESS	225 343 3078
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ST. TIME	04/20 14:47
TIME USE	00'42
PGS.	5
RESULT	OK



20843827

**S** MCGLINCHHEY STAFFORD PLLC

JONATHAN G. WILBOURN  
 (225) 382-3804 Direct Telephone  
 (225) 612-7113 Direct Facsimile  
 jwilbourn@mcglinchey.com

FLORIDA LOUISIANA MISSISSIPPI NEW YORK OHIO TEXAS

April 20, 2011

VIA FACSIMILE (337) 291-6392  
AND OVERNIGHT MAIL.

Clerk of Court  
 15<sup>th</sup> Judicial District Court, Lafayette Parish  
 800 S. Buchanan St.  
 PO Box 2009  
 Lafayette, LA 70502

13962.652

RE: Jonah J. Cormier vs. JPMorgan Chase & Co. and Chase Home Finance,  
 LLC; Suit No. 2011-1813; Div. "A"

Dear Clerk:

Enclosed please find an original and one copy of the Consent Motion for Extension of Time to File Responsive Pleadings in connection with the referenced matter. Please file stamp the additional copy and return it to me for my files.

Sincerely,

McGlinchey Stafford, PLLC

Jonathan G. Wilbourn

JW:ss  
 Enclosure  
 cc: R.J. Fonseca

TO:  
 COMMISSIONER OF INSURANCE  
 P. O. BOX 94214  
 BATON ROUGE, LA 70804

FROM: CLERK OF COURT, PARISH OF Lafayette  
 RE: R.S. 9:2800.7 PERSONAL INJURY SUIT



20927596

Section A shall be obtained by the Clerk of Court at the time suit is filed and submitted to the Commissioner of Insurance within 30 days of filing. Section A shall also be completed at the time judgment becomes definitive.

## A. INITIAL INFORMATION

1. Caption of Suit: Jonah J. Cormier

vs

Chase Home Finance, et al

- a). Parish: Lafayette  
 c). Judicial District: 15th JDC  
 e). Type Suit: Petition for Damages
1.  Auto
  2.  Uninsured Motorist
  3.  Government Liability
  4.  General Liability
  5.  Products Liability
  6.  Property Damage
  8.  Other

b). Docket No.: 20111813 A  
 d). Filing Date: 3-28-11

7.  Professional Liability  
  - a.  Medical
  - b.  Legal
  - c.  Architectural
  - d.  Accounting
  - e.  Engineering

## 2. Nature of Injuries (If ascertainable from petition):

Not applicable. This suit is for damage to financial standing.

Section B shall be obtained by the Clerk of Court and submitted to the Commissioner of Insurance within 30 days of definitive judgment. (Section A (1) a-c must also be completed in order to accurately report.)

## B. JUDGMENT INFORMATION:

- a. Judgment by the Merit Trial:  
 a).  Judge  Jury  
 b).  For the Plaintiff  For the Defendant  
 c).  Judgment awarded, exclusive of interest and costs:  
  - i.  -0-
  - ii.  -0- but less than \$10,000
  - iii.  \$10,000 but less than \$25,000
  - iv.  \$25,000 but less than \$50,000
  - v.  \$50,000 but less than \$100,000
  - vi.  \$100,000 but less than \$250,000
  - vii.  \$250,000 but less than \$500,000
  - viii.  \$500,000 but less than \$750,000
  - ix.  \$750,000 but less than 1,000,000
  - x.  \$1,000,000 but less than \$2,000,000
  - xi.  \$2,000,000 or more

Date of judgment: \_\_\_\_\_

## 2. Appeal Status:

- a).  Appeal Entered      b).  No Appeal Entered

Section C shall be completed by the Clerk of Court and submitted to the Commissioner of Insurance within 30 days of dismissal.

## C. DISMISSAL INFORMATION

- a. Date of dismissal: \_\_\_\_\_ Without Prejudice  
 b.  With Prejudice

- D. PROCESSING FEE - \$10.00 shall be taxed as costs of court in each suit on which the information required by this section is submitted by the Clerk of Court. Upon rendering of judgment under Section B of this form or dismissal under Section C of this form, \$5.00 shall be paid to the Commissioner of Insurance by the Clerk of Court and \$5.00 shall be retained by the Clerk from the court costs paid in Section D.

Clerk or Deputy Clerk: \_\_\_\_\_



20927554

**FONSECA & ASSOCIATES**

ATTORNEYS AND COUNSELORS AT LAW  
A Professional Limited Liability Company

| 217 RUE LOUIS XIV SUITE 100 | LAFAYETTE, LOUISIANA 70508 |  
| OFFICE: (337) 456-1163 | FACSIMILE: (337) 232-8740 |

RECEIVED  
LAFAYETTE PARISH CLERK'S OFFICE  
APR 19 2011  
RJF/tf

April 19, 2011

Honorable Louis J. Perret  
Clerk of Court, Lafayette Parish  
P.O. Box 2009  
Lafayette, LA 70502

Re: **Jonah J. Cormier v. Chase Home Finance, LLC, et al**  
**Docket No. C-20111813 A**  
**15<sup>th</sup> Judicial District Court**  
**Lafayette Parish, Louisiana**

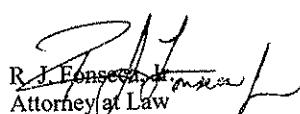
Dear Mr. Perret:

In connection with the above, please find enclosed the required insurance reporting form as requested by your office upon filing of my Petition for Damages.

Should you have any questions or require anything further to comply with my request, please do not hesitate to contact my office.

Thanking you in advance for your usual prompt and courteous service, I remain,

Truly yours,

  
R.J. Fonseca, Jr.  
Attorney at Law

RJF/tf

Enclosure



D20987509

cc\_jbdugas

Louis J. Perret  
Clerk of Court, Lafayette Parish  
P. O. Box 2009  
Lafayette, LA 70502  
Telephone: (337) 291-6400

April 21, 2011

**FACSIMILE TRANSMISSION RECEIPT**

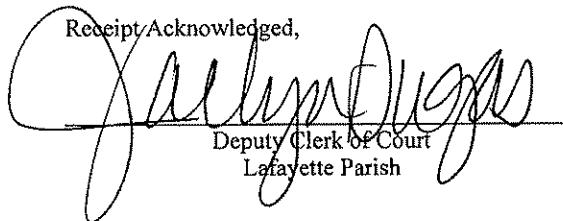
RE:           JONAH J CORMIER  
VS  
CHASE HOME FINANCE LLC, ET AL  
Docket Number: C-20111813 A

DATE FASCIMILE RECEIVED: APRIL 20-2011  
DESCRIPTION OF PLEADING: CONSENT MOTION FOR EXTENSION OF TIME TO FILE  
RESPONSIVE PLEADINGS  
FILED ON BEHALF OF: CHASE HOME FINANCE LLC AND JPMORGAN CHASE & CO.  
ATTORNEY: JONATHAN G. WILBOURN  
RECEIPT FAXED TO NUMBER: 225-343-3076

This is to acknowledge that the above described facsimile transmission was received and filed on the date shown above. In accordance with R.S. 13:850, the original must be received by our office within five (5) days (exclusive of legal holidays) from the date the facsimile was received, along with a filing fee of \$74.00 which includes a transmission fee of \$5.00. \*\*Please note that this amount does not reflect any money that you may have on deposit in this matter. It is strictly the amount that is needed to file the above faxed pleading.\*\*

**IF YOU HAVE ANY QUESTIONS REGARDING COURT COST IN THIS MATTER, PLEASE  
CONTACT THE COST DEPARTMENT AT (337) 291-6314.**

The Lafayette Parish Clerk of Court's office will not process from a facsimile filing. We will process from original documents only.

Receipt/Acknowledged,  
  
Deputy Clerk of Court  
Lafayette Parish

\*\*\*\*\*  
 \*\*\* TX REPORT \*\*\*  
 \*\*\*\*\*

TRANSMISSION OK

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D20987509

cc\_jbdugas

Louis J. Perret  
 Clerk of Court, Lafayette Parish  
 P. O. Box 2009  
 Lafayette, LA 70502  
 Telephone: (337) 291-6400

April 21, 2011

**FACSIMILE TRANSMISSION RECEIPT**

RE: JONAH J CORMIER  
 VS  
 CHASE HOME FINANCE LLC, ET AL  
 Docket Number: C-20111813 A

DATE FASCIMILE RECEIVED: APRIL 20-2011  
 DESCRIPTION OF PLEADING: CONSENT MOTION FOR EXTENSION OF TIME TO FILE  
 RESPONSIVE PLEADINGS  
 FILED ON BEHALF OF: CHASE HOME FINANCE LLC AND JPMORGAN CHASE & CO.  
 ATTORNEY: JONATHAN G. WILBOURN  
 RECEIPT FAXED TO NUMBER: 225-343-3076

This is to acknowledge that the above described facsimile transmission was received and filed on the date shown above. In accordance with R.S. 13:850, the original must be received by our office within five (5) days (exclusive of legal holidays) from the date the facsimile was received, along with a filing fee of \$74.00 which includes a transmission fee of \$5.00. \*\*Please note that this amount does not reflect any money that you may have on deposit in this matter. It is strictly the amount that is needed to file the above faxed pleading.\*\*

**IF YOU HAVE ANY QUESTIONS REGARDING COURT COST IN THIS MATTER, PLEASE CONTACT THE COST DEPARTMENT AT (337) 291-6314.**

The Lafayette Parish Clerk of Court's office will not process from a facsimile filing. We will process from original documents only.

Receipt/Acknowledged,

Deputy Clerk of Court  
 Lafayette Parish

20830097

15<sup>TH</sup> JUDICIAL DISTRICT COURT FOR THE PARISH OF LAFAYETTE  
STATE OF LOUISIANA

NO.: C-20111813

APR 19 AM 7/3  
DIVISION A/3

JONAH J. CORMIER

versus

JPMORGAN CHASE & CO AND CHASE HOME FINANCE, LLC

MOTION TO CONTINUE WITHOUT DATE

NOW INTO COURT, through undersigned counsel, comes Plaintiff, JONAH J. CORMIER, who is moving this court for a continuance and respectfully represents:

1.

This matter is presently set for Rule to Show Cause on Monday, May 16, 2011.

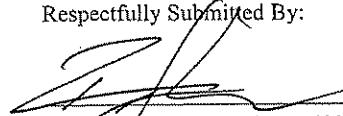
2.

Counsel for Defendant has no objection to continuance.

WHEREFORE, undersigned counsel moves for a continuance in this matter.

FILED THIS 19  
DAY OF April 2011  
Heather M. Comeaux  
Deputy Clerk of Court

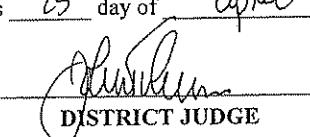
Respectfully Submitted By:

  
Ramon J. Fonseca, Jr., #26883  
217 Rue Louis XIV, Suite 100  
Lafayette, Louisiana 70508  
Office (337) 456-1163  
Facsimile (337) 232-8740

ORDER

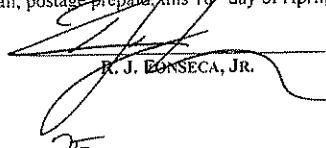
Foregoing Motion considered, IT IS ORDERED that the continuance is hereby granted and the Trial be continued without date.

Lafayette, Louisiana this 25<sup>th</sup> day of April, 2011.

  
DISTRICT JUDGE

CERTIFICATE OF SERVICE

I certify that I have served a copy of the foregoing pleading on all counsel to this proceeding by facsimile transmission, hand delivery, or by placing same in the United States mail, postage prepaid, this 18<sup>th</sup> day of April, 2011.

  
R. J. FONSECA, JR.

FILED THIS 25  
DAY OF April 2011  
Heather M. Comeaux  
Deputy Clerk of Court

STATE OF LOUISIANA PARISH OF LAFAYETTE

I hereby certify that a certified copy of t  
judgment/juror has been mailed/served on

parties this 2nd day of May, 2011

Heather M. Comeaux  
Deputy Clerk of Court

CC: Ramon J. Fonseca, Jr  
Jonathan G. Wilbaur

A TRUE COPY ATTEST

Lafayette, La. 5-2-11

Heather M. Comeaux  
DY. CLERK OF COURT

15<sup>th</sup> JUDICIAL DISTRICT COURT FOR THE PARISH OF LAFAYETTE  
STATE OF LOUISIANA

NO. 2011-1813

DIV. "A"

JONAH J. CORMIER

VERSUS

JPMORGAN CHASE & CO. and CHASE HOME FINANCE LLC

FILED: \_\_\_\_\_ DEPUTY CLERK

**CONSENT MOTION FOR EXTENSION OF TIME TO  
FILE RESPONSIVE PLEADINGS**

NOW INTO COURT, through undersigned counsel, comes Chase Home Finance LLC and JPMorgan Chase & Co. (collectively "Chase"), who, while reserving all challenges to venue, the sufficiency of service of process, rights to compel arbitration, and any available defenses, requests an extension of time of an additional thirty (30) days in which to file responsive pleadings in the above-captioned matter for the following reasons:

1.

Chase was served with a copy of the plaintiff's petition on April 6, 2011.

2.

Chase requires additional time to investigate the factual assertions and claims made in the petition in order to prepare appropriate responsive pleadings.

3.

Chase's responsive pleadings are currently due on April 21, 2011.

4.

Chase requests an additional thirty (30) days within which to investigate the claims and file responsive pleadings, which is through and including May 23, 2011.

5.

This is the first request for an extension of time filed by Chase.

6.

Undersigned counsel has conferred with counsel for the plaintiff (R.J. Fonseca), who has represented that he has no objection to Chase's request for a thirty day extension of time in which to file responsive pleadings.

WHEREFORE, Chase Home Finance LLC and JPMorgan Chase & Co. request that they be granted an additional thirty (30) days within which to file responsive pleadings, which is through and including May 23, 2011.

RESPECTFULLY SUBMITTED:

McGLINCHEY STAFFORD, PLLC

Michael D. Ferachi (Bar No. 19566)  
Jonathan G. Wilbourn (Bar No. 27683)  
Fourteenth Floor, One American Place  
Baton Rouge, Louisiana 70825  
Telephone: (225) 383-9000  
Telecopier: (225) 343-3076

ATTORNEYS CHASE HOME FINANCE LLC  
and JPMORGAN CHASE & CO.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the above and foregoing pleading has been served upon all counsel of record in this matter via U. S. Mail, first class, postage prepaid and properly addressed, this 20<sup>th</sup> day of April, 2011.

\_\_\_\_\_  
Jonathan G. Wilbourn

FILED THIS 25 DAY OF April, 2011  
TRUE COPY ATTEST, LAFAYETTE, LA  
Lylahith J. Mescott  
Deputy Clerk of Court

15<sup>th</sup> JUDICIAL DISTRICT COURT FOR THE PARISH OF LAFAYETTE  
STATE OF LOUISIANA

NO. 2011-1813

DIV. "A"

JONAH J. CORMIER

VERSUS

JPMORGAN CHASE & CO. and CHASE HOME FINANCE LLC

FILED: \_\_\_\_\_

DEPUTY CLERK

ORDER

The Consent Motion for Extension of Time considered;

IT IS HEREBY ORDERED that Chase Home Finance LLC and JPMorgan Chase & Co. be allowed an additional thirty (30) days, which is through and until May 23, 2011, in which to provide responsive pleadings to the petition filed in this matter.

THUS DONE AND SIGNED in Crowley, State of Louisiana on the 28 day of April, 2011.

s/ John D. Trahan  
Judge, 15<sup>th</sup> Judicial District Court  
Parish of Lafayette, State of Louisiana